

DECLARATORY

~~Improvement~~ Res. No. 1278-1970

For the Vacation of the alley between  
Oliver Street and Bowser Avenue from the north  
property line of the first alley north of Horace Street  
to the north property line of Greene Street,  
except the Horace Street and Buchanan Street  
intersection.

Resolution Adopted: May 6, 1970

Confirmed: May 6, 1970

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

JUL 2 - 1970

B.O.86-70

DECLARATORY RESOLUTION NO. 1278-1970

For the Vacation of the alley between Oliver Street and Bowser Avenue from the north property line of the first alley north of Horace Street to the north property line of Greene Street, except the Horace Street and Buchanan Street intersections.

ADOPTED: May 6, 1970

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

NOTICES MAILED:

HEARING ON CONFIRMATION:

CONFIRMED: May 6, 1970

ASSESSMENT ROLL ORDERED: May 6, 1970

ASSESSMENT ROLL APPROVED: June 2, 1970

HEARING ON CONFIRMATION OF ASSM'T ROLL: Thurs., 7/2/70 3:30p.m.

NOTICE SERVED: June 19, 1970

ASSESSMENT ROLL CONFIRMED: July 2, 1970

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the alley between Oliver Street and Bowser Avenue from the north property line of the first alley north of Horace Street to the north property line of Greene Street, except the Horace Street and Buchanan Street intersections.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Oliver Street and Bowser Avenue from the north property line of the first alley north of Horace Street to the north property line of Greene Street, except the Horace Street and Buchanan Street intersections.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 69 to 75 inclusive, Greene's Sub. of Hanna's Out Lot #4, Plat "A"; Lots 25 to 36 inclusive, Charles Hanna's Addition; and Lots 53 to 66 inclusive, Greene's Addition. Said additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described \_\_\_\_\_ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits~~

All Streets, lots and lands affected by the above described vacation are situated in the east one-half of Section Twelve, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

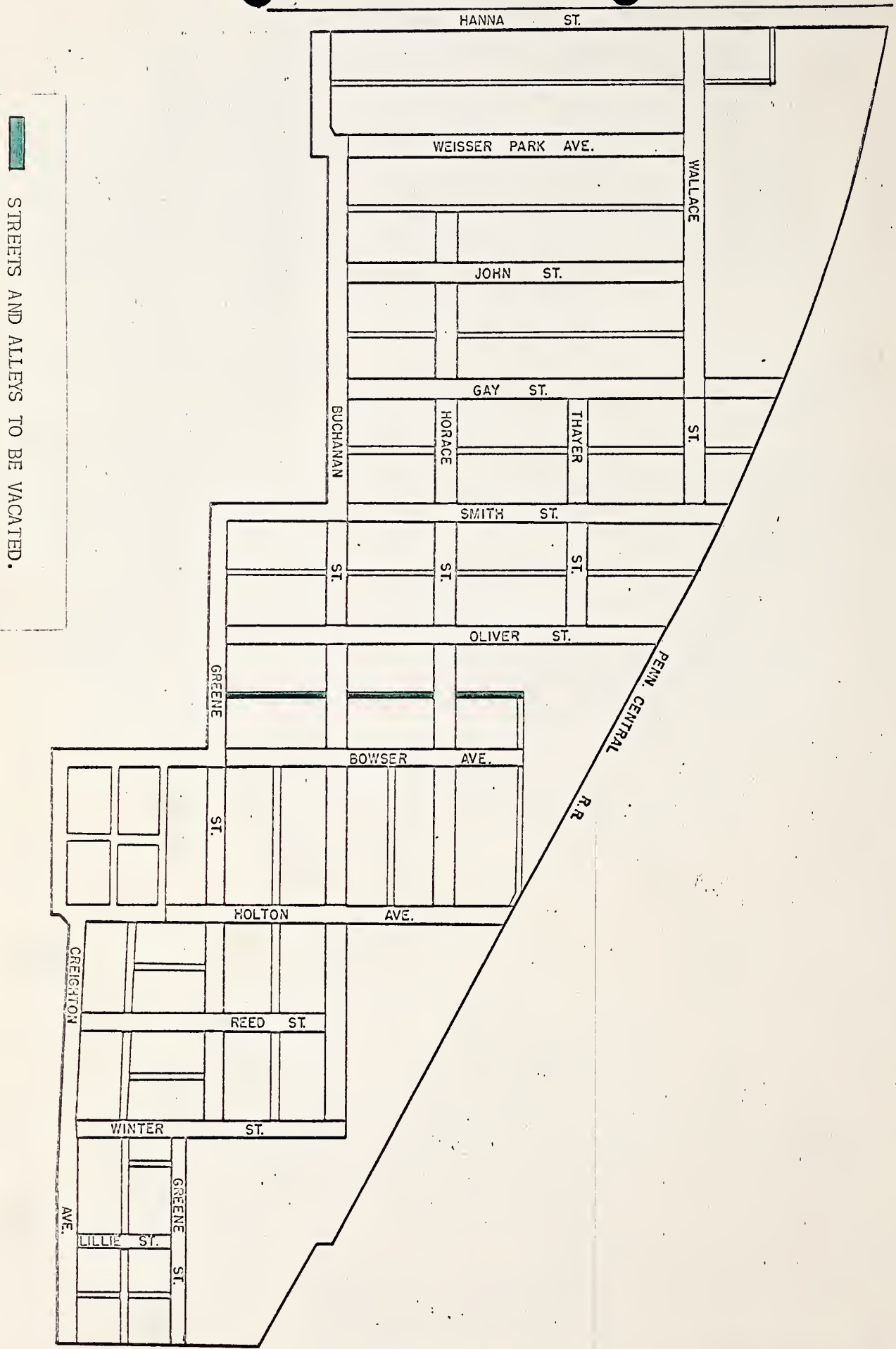
ADOPTED THIS 6 DAY OF May 19 70

Attest:

Secretary Board of Public Works.

*Paul B. Bureau*  
*Robert W. Dehman*

Board of Public Works.





1278

THAYER

SUB

OLIVER

GREENES

SUB

BAROS



STREET

HANNAS

SUB

GREENES

BOWSER

STREET

BUCHANAN

ADD

STREET

GREENES

ADD

AVENUE

GREENES

STREET

SUB

SUB

OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

55-84-7

Date May 6, 1970

NOTED

☒ F.S.E.  
☐ R.W.D.  
☐ G.F.G.

B.O.86-70

Date \_\_\_\_\_

To City Engineer

Subject Dec. 1278-1970 alley between Oliver & Bowser.

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
BOARD OF PUBLIC WORKS

ic  
encl. Res. & P. O. List

Signed \_\_\_\_\_

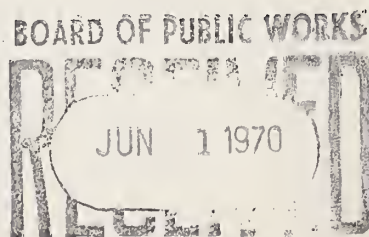
Reply:

May 28, 1970

Assessment roll of benefits and damages completed and attached.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.



Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

W A I V E R

The undersigned City of Fort Wayne, Department of Redevelopment, the owner of property which may be injuriously or beneficially affected by the proposed vacation of an alley described as follows, to wit:

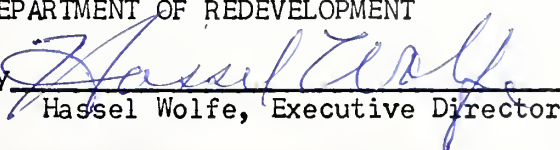
The alley between Oliver Street and Bowser Avenue from the north property line of the first alley north of Horace Street to the north property line of Greene Street, except the Horace Street and Buchanan Street intersections.

which proposed vacation is set out in Declaratory Resolution No. 1278 - 1970 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Department of Redevelopment.

Dated this 14<sup>TH</sup> day of April, 1970.

CITY OF FORT WAYNE  
DEPARTMENT OF REDEVELOPMENT

By

  
Hassel Wolfe, Executive Director



W A I V E R

The undersigned, MCMILLEN FOUNDATION, INC., the owner of property which may be injuriously or beneficially affected by the proposed vacation of an alley described as follows, to wit:

The alley between Oliver Street and Bowser Avenue from the north property line of the first alley north of Horace Street to the north property line of Greene Street, except the Horace Street and Buchanan Street intersections.

which proposed vacation is set out in Declaratory Resolution No. /278-1970 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and such action so taken shall be final and conclusive upon said owner.

Dated this 22<sup>nd</sup> day of April, 1970.

MCMILLEN FOUNDATION, INC.

By Harold W Mc Miller Pres.

WITNESS W. F. Bergmann



## DECLARATORY

~~Impasse~~ Resolution No. **1278** - 1978 For the VACATION of the ALLEY BETWEEN OLIVER STREET AND BOWSER AVENUE from the

NORTH PROPERTY LINE of the FIRST ALLEY NORTH of HORACE STREET TO THE NORTH PROPERTY LINE of GREENE STREET, EXCEPT THE HORACE STREET AND BUCHANAN STREET INTERSECTIONS

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	McMullen Foundation, Inc	307 E. Olive Bank Bldg.	69			GREENE'S EUS of HCL #4 PLAT "A"
2	City of Fort Wayne		70			" " " " " "
3	" " " "	" " " "	71			" " " " " "
4	" " " "	" " " "	72			" " " " " "
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6	" " " "	" " " "	74			" " " " " "
7	" " " "	" " " "	75			" " " " " "
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9	City of Fort Wayne	500 Kearsley - 425 W. Calhoun St.	25			CHAR - L - 425 W. CALHOUN
10	" " " "	" " " "	26			" " " " " "
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21	" " " "	" " " "	53			GREENE'S ADD
22	" " " "	" " " "	54			" " " " " "
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28	" " " "	" " " "	60 - E. 47.5'			" " " " " "
29	City of Fort Wayne	425 W. Calhoun St.	61			" " " " " "
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1278